

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

- v -

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

12 MC 115 (JSR)

(Proposed)

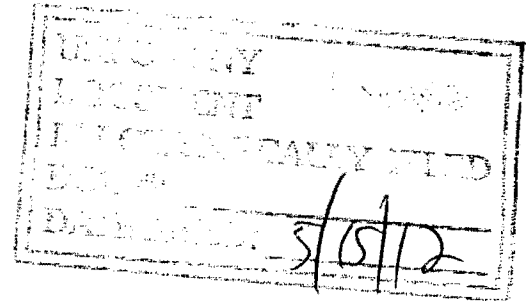
**SUPPLEMENTAL OPINION AND
ORDER**

In re:

MADOFF SECURITIES

PERTAINS TO THE FOLLOWING CASES:

Picard v. Greiff, 11 Civ. 3775;
Picard v. Blumental, 11 Civ. 4293;
Picard v. Goldman, 11 Civ. 4959;
Picard v. Hein, 11 Civ. 4936;
and cases listed in Appendix A.



On April 30, 2012 the Court entered an Order (ECF No. 57) dismissing certain claims of the Trustee in the above actions except those proceeding under Sections 548(a)(1)(A) and 550(a) of the Bankruptcy Code. On May 1, 2012, the Court entered an Opinion and Order (ECF No. 72) explaining the reasons for its decision.

The Court now supplements the Opinion and Order to make explicit that Section 546(e) of the Bankruptcy Code applies to the Trustee's claims in the above actions for avoidance and recovery of preferences under Section 547 of the Bankruptcy Code.

The supplemental list of cases attached As Appendix A to the Opinion and Order inadvertently omitted *Picard v. Marital Trust Under Article X of the Charles D. Kelman Revocable Trust*, which was consolidated by Order of the Court dated January 25, 2012 under

Picard v. Hein, 11 Civ. 4936. Appendix A is hereby amended, *nunc pro tunc*, to include that action as well.

SO ORDERED.



Jed S. Rakoff, U.S.D.J.

Dated: 5/15/12